

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FRANCISCO RODRIGUEZ and ARISTIDES
ALFREDO DILLATORO,

Civil Case No.: 2:16-cv-00254
(DRH)(AKT)

Plaintiffs,

- against -

RIDGE RESTAURANT, INC. d/b/a ALFREDO'S PIZZERIA,
DENNIS D'ONOFRIO, and PHILIP D'ONOFRIO,

**ANSWER TO AMENDED
COMPLAINT**

Defendants.

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The defendants, Ridge Restaurant, Inc., Dennis D'Onofrio, and Philip D'Onofrio, by their attorneys Wickham, Bressler & Geasa, P.C., as and for their answer to the amended complaint, respectfully state:

1. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 1 of the complaint and respectfully refer questions of law to the Court.
2. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 2 of the complaint and respectfully refer questions of law to the Court.
3. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 3 of the complaint and respectfully refer questions of law to the Court.
4. Deny the allegations set forth in paragraph 4 of the complaint.
5. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 5 of the complaint.
6. Deny the allegations set forth in paragraph 6 of the complaint.
7. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 7 of the complaint.

8. Admit the allegations set forth in paragraph 8 of the complaint.
9. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 9 of the complaint, and respectfully refer questions of law to the Court.
10. Admit the allegations set forth in paragraph 10 of the complaint.
11. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 11 of the complaint, and respectfully refer questions of law to the Court.
12. Admit the allegations set forth in paragraph 12 of the complaint.
13. Admit the allegations set forth in paragraph 13 of the complaint.
14. Admit the allegations set forth in paragraph 14 of the complaint.
15. Deny the allegations set forth in paragraph 15 of the complaint.
16. Deny the allegations set forth in paragraph 16 of the complaint.
17. Deny the allegations set forth in paragraph 17 of the complaint.
18. Deny the allegations set forth in paragraph 18 of the complaint.
19. Admit the allegations set forth in paragraph 19 of the complaint.
20. Deny the allegations set forth in paragraph 20 of the complaint.
21. Deny the allegations set forth in paragraph 21 of the complaint.
22. Deny the allegations set forth in paragraph 22 of the complaint.
23. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 23 of the complaint, and respectfully refer questions of law to the Court.
24. Admit the allegations set forth in paragraph 24 of the complaint.
25. Deny the allegations set forth in paragraph 25 of the complaint.
26. Deny the allegations set forth in paragraph 26 of the complaint.

27. Deny the allegations set forth in paragraph 27 of the complaint.
28. Admit the allegations set forth in paragraph 28 of the complaint.
29. Deny the allegations set forth in paragraph 29 of the complaint.
30. Deny the allegations set forth in paragraph 30 of the complaint.
31. Deny the allegations set forth in paragraph 31 of the complaint.
32. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 32 of the complaint and respectfully refer questions of law to the Court.
33. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 33 of the complaint and respectfully refer questions of law to the Court.
34. Deny the allegations set forth in paragraph 34 of the complaint.
35. Deny the allegations set forth in paragraph 35 of the complaint.
36. Deny the allegations set forth in paragraph 36 of the complaint.
37. Deny the allegations set forth in paragraph 37 of the complaint.
38. Admit the allegations set forth in paragraph 38 of the complaint.
39. Deny the allegations set forth in paragraph 39 of the complaint.
40. Deny the allegations set forth in paragraph 40 of the complaint.
41. Deny the allegations set forth in paragraph 41 of the complaint.
42. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 42 of the complaint and respectfully refer questions of law to the Court.
43. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 43 of the complaint and respectfully refer questions of law to the Court.
44. Deny the allegations set forth in paragraph 44 of the complaint.
45. Deny the allegations set forth in paragraph 45 of the complaint.

46. Deny the allegations set forth in paragraph 46 of the complaint.
47. Defendants repeat and reallege the answers to paragraphs "1" through "46" of the complaint as though fully set forth at length herein in response to paragraph 47 of the complaint.
48. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 48 of the complaint and respectfully refer questions of law to the Court.
49. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 49 of the complaint and respectfully refer questions of law to the Court.
50. Deny the allegations set forth in paragraph 50 of the complaint.
51. Deny the allegations set forth in paragraph 51 of the complaint.
52. Deny the allegations set forth in paragraph 52 of the complaint.
53. Defendants repeat and reallege the answers to paragraphs "1" through "52" of the complaint as though fully set forth at length herein in response to paragraph 53 of the complaint.
54. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 54 of the complaint and respectfully refer questions of law to the Court.
55. Deny the allegations set forth in paragraph 55 of the complaint.
56. Deny the allegations set forth in paragraph 56 of the complaint.
57. Defendants repeat and reallege the answers to paragraphs "1" through "56" of the complaint as though fully set forth at length herein in response to paragraph 57 of the complaint.
58. Admit the allegations set forth in paragraph 58 of the complaint.
59. Deny the allegations set forth in paragraph 59 of the complaint.
60. Deny the allegations set forth in paragraph 60 of the complaint.
61. Deny the allegations set forth in paragraph 61 of the complaint.
62. Deny the allegations set forth in paragraph 62 of the complaint.

63. Defendants repeat and reallege the answers to paragraphs "1" through "62" of the complaint as though fully set forth at length herein in response to paragraph 63 of the complaint.

64. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 64 of the complaint and respectfully refer questions of law to the Court.

65. Deny the allegations set forth in paragraph 65 of the complaint.

66. Deny the allegations set forth in paragraph 66 of the complaint.

67. Defendants repeat and reallege the answers to paragraphs "1" through "66" of the complaint as though fully set forth at length herein in response to paragraph 67 of the complaint

68. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 68 of the complaint and respectfully refer questions of law to the Court.

69. Deny the allegations set forth in paragraph 69 of the complaint.

70. Deny the allegations set forth in paragraph 70 of the complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

71. The first claim for relief fails to state a claim upon which relief can be granted.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

72. The second claim for relief fails to state a claim upon which relief can be granted.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

73. The third claim for relief fails to state a claim upon which relief can be granted.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

74. The fourth claim for relief fails to state a claim upon which relief can be granted.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

75. The fifth claim for relief fails to state a claim upon which relief can be granted.

AS AND FOR A SIXTH AFFIRMATIVE DEFENSE

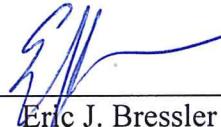
76. The claims for relief are barred by the statute of limitations.

WHEREFORE, defendants demand judgment dismissing the complaint.

Dated: April 6, 2018
Mattituck, New York

WICKHAM, BRESSLER & GEASA, P.C.

By: _____



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